

REMARKSClaims

Claims 1 to 10 remain in the application. Applicant respectfully requests reconsideration and withdrawal of the rejections to claims 1 to 10 in view of the following remarks.

New claims 11 to 18 have been added, which are fully supported by the application as filed.

Claims 1 and 8 have been amended to replace the term "a pair of longitudinal support structures" with "a first longitudinal support structure and a second longitudinal support structure". This amendment has been made only to facilitate reference to the claimed elements rather than for the purpose of differentiating over any prior art.

Claim Rejections – 35 U.S.C. 102

The Examiner has maintained the rejection of claims 1 to 5 and 7 to 10 under 35 U.S.C. 102(b) as being anticipated by Tsung-Ping (U.S. Patent no. 6,119,811). In reviewing the Examiner's comments in this regard, Applicant believes that the Examiner has clearly twisted and over interpreted the prior art to fit the rejection. Applicant cannot agree with many of the Examiner's rejections and, in fact, many of the Examiner's rejections appear to go well beyond the permissible limits of 35 U.S.C. 102(b). However, since Applicant cannot at this point bear the delay and expense of an appeal, Applicant has chosen instead to amend their claim 1 to clarify that the cross member is formed to attach between the first longitudinal support structure and the second longitudinal support structure by removably engaging over the posts to bear against the upper surfaces of the first longitudinal support structure and the second longitudinal support structure. Tsung-Ping clearly does not teach this element or any arrangement of parts that would permit this claimed element to be achieved.

sn. 10/619,418
page 8

Since Tsung-Ping does not teach all of the elements of claim 1, this claim and dependent claims 2 to 5 and 7 to 10 are clearly not anticipated by this prior reference. Favorable consideration is respectfully requested.

Claim Rejections – 35 U.S.C. 103

The Examiner has further rejected claim 6 under 35 U.S.C. 103(a) as being obvious in view of Tsung-Ping (U.S. Patent no. 6,119,811). Again, since Tsung-Ping does not teach or suggest various elements of claim 1, this rejection of claim 6 should also be withdrawn.

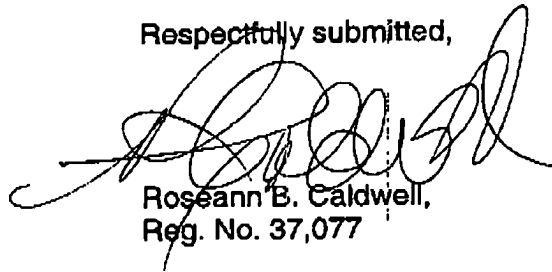
Provisional Request for Interview

If the Examiner, after review of this response, believes it appropriate to maintain any of the claim rejections based on Tsung-Ping, Applicant hereby requests a telephonic interview between the Applicants agent (particulars set out below) and the Examiner. The Examiner is requested to contact Applicants agent with some suggested times that the Examiner can be available for an interview and Applicants agent will reply immediately to finalize a mutually convenient time to discuss the application.

Conclusions

In light of the arguments presented by applicant herein, applicant submits that claims 1 to 18 are in a condition for allowance.

Respectfully submitted,



Roseann B. Caldwell,
Reg. No. 37,077

BENNETT JONES LLP
4500 - 855 - 2nd Street S.W.
Calgary, Alberta CANADA
T2P 4K7
tel. (403) 298-3661
fax (403) 265-7219

Date: Nov 20/04

DMSLegal\048518\00002\1933018v1